

FEDERAL COMMUNICATIONS COMMISSION
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CC92-77

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September 27, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DOCKET FILE COPY ORIGINAL

The Honorable Glenn Poshard
U.S. House of Representatives
107 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Poshard:

Thank you for your letter on behalf of Jim Kimball, Sheriff, Coles County; Jim Zirkelbach, Sheriff, Macoupin County; Lowell D. Lasater, Sheriff, Hardin County; and Lee Ryker, Sheriff, Clay County, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

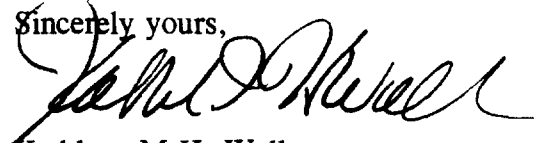
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Glenn Poshard
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Kathleen M.H. Wallman', written over the typed name.

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

CONGRESSMAN GLENN POSHARD
U.S. House of Representatives -- 19th District of Illinois
107 Cannon House Office Building
Washington, D.C. 20515
(202) 225-5201 VOICE
(202) 225-1541 FAX

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92-77

4602

FAX COVER SHEET

DATE: Sept 14, 1994 FAX: 418-2806

TO: Office of Legislative Office
Fed. Communications Commission

FROM (Check One):

☐ Congressman Glenn Poshard

☐ Dave Stricklin

☐ Sue Cragg

☐ Nina Crisostomo

☐ Regina Dunbar

☐ Bernadette Laniak

☐ Intern: _____

Comments: Letter of comment on Bill
Pres. Preference (CC Draft No. 92-77)

Total Number of Pages (Including Cover Sheet): 10



JAMES A. KIMBALL
Sheriff

ROBERT CAMPBELL
Undersheriff

LONNY COOPER
Chief Deputy

BRIAN MARVIN
Captain

Coles County Sheriffs Department

701 7th Street • Charleston, Illinois 61920-0347

AUG 29 1994

August 26, 1994

Congressman Glenn Poshard
Cannon House Office Building
Washington, D.C. 20515

Re: CC Docket No. 92-77 Opposition to Billed
Party Preference

Dear Congressman Poshard:

We are opposed to the application of the Billed Party Preference(BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have an obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints what we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The

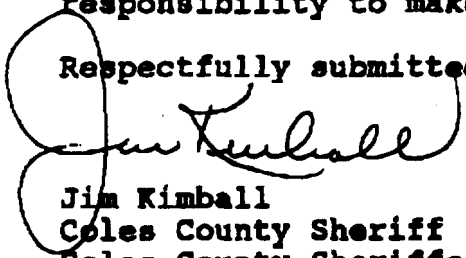
Administration
8:00 AM to 4:00 PM Mon.-Fri.
Charleston(217) 348-0585
Mattoon(217) 258-0585
Civil Process Section
Info Ref Subpoena/Summons
8:00 AM to 4:00 PM Mon.-Fri.
Charleston(217) 348-0584
Mattoon(217) 258-0584
Detective Section
8:00 AM to 4:00 PM Mon.-Fri.
Charleston(217) 348-0588
Mattoon(217) 258-0588
Search - McGruff Program
8:00 AM to 4:00 PM Mon.-Fri.
Charleston(217) 348-0585
Mattoon(217) 258-0585
Warrants Section
Charleston(217) 348-0592
Mattoon(217) 258-0592
All Other Calls/Jail Info
Charleston(217) 348-7332
Mattoon(217) 258-7332

resulting increase in tension will make it more difficult for our staff to manage inmates.

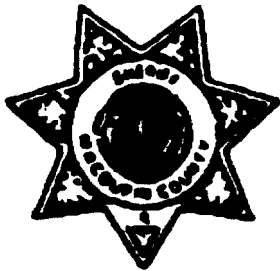
Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We are very concerned that the FCC's solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contacts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary to our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. Please, do not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,



Jim Kimball
Coles County Sheriff
Coles County Sheriffs Department
701 7th Street
Charleston, IL 61920



Jim "Zirk" Zirkelbach ^{AUG 30 1994}

Macoupin County Sheriff

August 25, 1994

215 S. East Street
Carlinville, Illinois 62626
217-854-3135

Congressman Glenn Poshard
Cannon House Office Building
Washington, D.C. 20515

Re: CC Docket No. 92-77

Opposition to Billed Party Preference

Dear Congressman Poshard:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmates calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate call through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

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In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. Please, do not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

Jim "Zirk" Zirkelbach

PHONE
(618) 267-2271

LOWELL DEON LASATER
SHERIFF OF HARDIN COUNTY
ELIZABETHTOWN, ILLINOIS 62831

FAX
(618) 267-7833

September 6, 1994

Congressman Glenn Poshard
Cannon House Office Building
Washington, D. C. 20515

RE: CC Docket No. 92-77 Opposition to Billed Party
Preference

Dear Congressman Poshard:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

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"Serving and protecting - 24 hours a day"

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In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. Please, do not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in cursive script, reading "Lowell D. Lasater". The signature is written in dark ink and is positioned above the printed name and title.

LOWELL D. LASATER, SHERIFF
HARDIN COUNTY SHERIFF'S DEPT.
P. O. Box 246
Elizabethtown, IL 62931

19

CLAY CO. SHERIFF'S DEPT.

LEE RYKER, SHERIFF

Poshard

SEP 14 1984

P. O. BOX 267
LOUISVILLE, IL 62858(618) 665-3316
FAX (618) 665-3318

August 30, 1984

Congressman Dan Rostenkowski
Rayburn House Office Building
Washington, D.C. 20510

RE: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Congressman Rostenkowski:

As Sheriff of Clay County and Warden of the Clay County Jail, I am opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

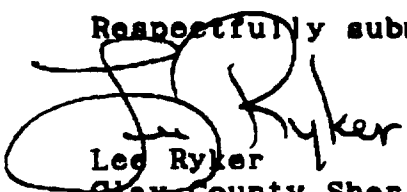
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In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. Please, do not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Any assistance regarding this matter would truly be appreciated.

Respectfully submitted,



Lee Ryker
Clay County Sheriff

DLR/pfg

PHONE
(618) 287-2271

LOWELL DEON LASATER
SHERIFF OF HARDIN COUNTY
ELIZABETH TOWN, ILLINOIS 62831

FAX
(618) 287-7833

RESPECTFULLY REFERRED,
NOT ACKNOWLEDGED

September 6, 1994

Congressman John Edward Porter
Longworth House Office Building
Washington, D. C. 20515

RE: CC Docket No. 92-77 Opposition to Billed Party
Preference

Dear Congressman Porter:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

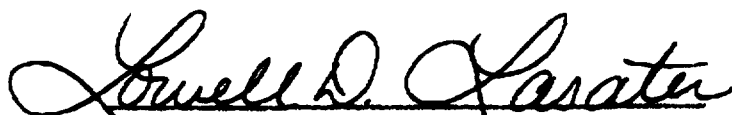
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Respectfully submitted,

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LOWELL D. LASATER, SHERIFF
HARDIN COUNTY SHERIFF'S DEPT.
P. O. Box 246
Elizabethtown, IL 62931